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8

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
11

12 JOANNE LEWIS,

13 Plaintiff,

14 v.
15

16 UNITED STATES, et al,

17 Defendants.
18
19
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No. C15-2319 CAB JLB

JOINT MOTION TO DISMISS CASE WITH
PREJUDICE

Judge: Hon. Jill L. Burkhardt

Date Action Filed: October 15, 2015
Trial Date: None Assigned

21 TO THE HONORABLE COURT:

22 Plaintiff Joanne Lewis and defendants Contra Costa County and M. Bailey (“Contra
23 Costa Defendants”), through their respective attorneys, jointly move this case to be dismissed
24 with prejudice in its entirety.

25 Parties move the court to dismiss this case based on the settlement between plaintiff and
26 the Contra Costa Defendants and the Court’s order finding the settlement to be in good faith.

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On April 5, 2015, the Court issued an order dismissing the action as to the United States of America and related defendants. On May 17, 2016, the Court issued an order dismissing the case as to the San Diego County defendants. The Contra Costa County defendants are the only remaining defendants. Therefore, the remaining parties move to dismiss the action in its entirety as to all remaining defendants. All parties to bear their own fees and costs.

DATE: May 18, 2016

SHARON L. ANDERSON
COUNTY COUNSEL

By: /s/ Patrick L. Hurley

Attorneys for Defendants
CONTRA COSTA COUNTY and M.
BAILEY

DATE: May 18, 2016

LAW OFFICES OF TIMOTHY SCOTT

By: /s/ Timothy Scott

Attorneys for Plaintiff

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to counsel for Plaintiff, and that I have obtained counsel's authorization to affix his electronic signature to this document.

DATE: May 18, 2016

SHARON L. ANDERSON
COUNTY COUNSEL

By: /s/ Patrick L. Hurley

Attorneys for Defendants
CONTRA COSTA COUNTY and M.
BAILEY

PROOF OF SERVICE

Re: Joanne Lewis v. United States, et al.
United States District Court - Southern District,
Case No. C15-2319 CAB JLB

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Office of the County Counsel, 651 Pine Street, Ninth Floor, Martinez, CA 94553-1229. My electronic notification address is erik.schlenker@cc.cccounty.us. On May 18, 2016, I served the following document(s) by the method indicated below.

JOINT MOTION TO DISMISS CASE WITH PREJUDICE

- ☐ By fax transmission on this date from fax number (925) 335-1866 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 p.m. and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing. The transmitting fax machine complies with Cal.R.Ct. 2.301(3).
- ☐ By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Martinez, California addressed as set forth below. I am readily familiar with Office of County Counsel's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business.
- ☐ By placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below. A signed proof of service by the process server or delivery service will be filed shortly.
- ☐ By personally delivering the document(s) listed above to the person(s) and at the addresses listed below.
- ☒ By electronic filing, I served each of the above referenced documents by E-filing, in accordance with the rules governing the electronic filing of documents in the United States District Court for the Southern District of California, to the parties listed below.
- ☐ By placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below. A copy of the consignment slip is attached to this proof of service.
- ☐ By electronically transmitting from electronic notification address erik.schlenker@cc.cccounty.us a true copy of the above-referenced document(s) to LexisNexis File & Serve at www.LexisNexis.com for electronic delivery upon counsel for the parties as listed below and as listed on the attached transaction receipt(s). The transmission was reported as complete and without error.

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26 I declare under penalty of perjury under the laws of the State of California and the United
27 States of America that the above is true and correct. Executed on May 18, 2016, at Martinez,
28 California.

/s/
Erik Schlenker